



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Clarke

Group Art Unit 1761

Serial No.: 09/858,190

Filing Date: May 15, 2001

Title: Packaging of Bananas

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DISCLOSURE UNDER 37 CFR 1.56

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In fulfilling the duty of candor and good faith, the documents listed on the attached PTO-1449 (two copies) are disclosed to the Office in accordance with 37 CFR § 1.56. It should be noted the word "prior" has been deleted from the attached PTO-1449. It is not admitted that the information in the listed documents is material to patentability as defined in 37 CFR § 1.56(b) or that the documents are analogous art. The Examiner is asked to consider these documents, and to confirm such consideration by returning an initialed and signed copy of the PTO-1449.

The documents listed on the attached PTO-1449 were cited in a Search Report issued by the European Patent Office on International Application No. PCT/US 02/37199, which is a foreign counterpart of U.S. Serial No. 09/989,682, which is a continuation-in-part of this application. A copy of that Search Report is attached. The Examiner will see that the Search Report also lists the following documents which have already been submitted to the Office in this application.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231  
On May 13, 2003

Typed name of person signing this certificate: T. H. P. Richardson  
Signature

U.S. Patent No. 5, 916, 614

U.S. Patent No. 5, 460, 841

U.S. Patent No. 3,450, 544

U.S. Patent No. 5,658,607

U.S. Patent No. 3,450, 542

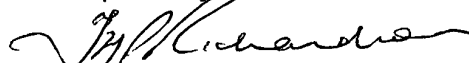
U.S. Patent No. 3,798,333

In addition, the Search Report lists U.S. Publication Nos. US 02/090425 and 2002/127305, which are the publications of this application and the continuation-in-part application Serial No. 09/989,682. Since these Publications cannot be prior art to this application, they are not listed on the attached PTO-1449.

Applicant believes that because this Disclosure Statement is being submitted before the first Office Action on the merits, no fee is due. If this is incorrect, please charge any necessary fee for consideration of this Disclosure Statement to Deposit Account No. 19-2090 (Sheldon & Mak).

It is believed that this Disclosure complies with the requirements of 37 CFR 1.56 and the MPEP. If for some reason the Examiner thinks otherwise, he is asked to call the undersigned so that any deficiencies can be remedied.

Respectfully submitted,



T.H.P. Richardson

Reg. No. 28,805

Tel. No. 650-854-6304

## TRANSMITTAL SHEET AND FEE CALCULATION

Attorney Docket No.:	13282-1	First Named Inventor (a):	Clarke
Application No.:	09/858,190	Filing Date:	May 15, 2001
Examiner:	Weinstein, Stephen L.	Group Art Unit:	1761

**This Transmittal Sheet is accompanied by**

Information Disclosure Statement, PTO-1449 (in duplicate), documents listed on PTO-1449, and an Acknowledgement Postcard.

**Fee Calculations**

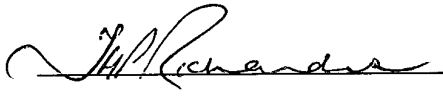
It is believed that no fee is due

**Authorization to Charge Deposit Account for Fees**

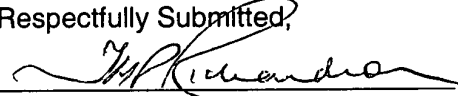
The Assistant Commissioner for Patents is hereby authorized to charge any fees required under 37 CFR §§ 1.16 and 1.17, and credit any overpayments to, the following deposit account.

Deposit Account No: 19-2090

Deposit Account Name: Sheldon & Mak

<b>CERTIFICATE OF MAILING (37 CFR 1.8)</b>	
I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231, on the date indicated below:	
Date of deposit:	<u>May 13, 2003</u>
Name (printed):	<u>T. H. P. Richardson</u>
Signature:	

Respectfully Submitted,

  
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